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09/080,461 05/19/98 ASAMA

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TM11/1017

EXAMINER

JOSEPH, T

ART UNIT

PAPER NUMBER

2173

DATE MAILED:

10/17/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/080,461

Applicant(s)  
Asama et al.

Examiner  
Thomas Joseph

Group Art Unit  
2773



☒ Responsive to communication(s) filed on May 19, 1998

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-19 is/are pending in the application

Of the above, claim(s) 12-15 and 17-19 is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-11 and 16 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Sep 15, 2000 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2773

### DETAILED ACTION

1. Applicant's arguments filed on 9-15-2000 have been fully considered but they are not persuasive.

#### *Claim Rejections - 35 USC 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims ~~2, 3~~ 1, 4-6, 9-11, and <sup>16</sup> are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram (pat. # 5,948,064) in view of Hopkins (pat. # 5,757,918). RB

Claims 1, 6, and 11 are rejected. Bertram teaches accessing a computer by an administrator (fig. 9); such a computer must be provided with an operating environment and a user recognizing unit such as a computer coupled with appropriate processor for processing logon commands. Bertram teaches software for determining an authorized user that can be interpreted as requiring an information storage medium to be applied to the user recognizing unit (fig. 9). Bertram teaches a system which includes an information storage medium storing a user environment information about environment suitable for a user, and the user recognizing unit reads the user-environment information stored in the information storage medium and changes the operating environment of the computer so as fit with the user-environment information (col. 10,

Art Unit: 2773

lines 38 - 65). Bertram teaches user authentication which translates into a process that requires a data server storing user-environment information corresponding to userid information identifying users (col. 4, lines 34 - 65). Bertram fails to teach an information storage medium being portable wherein the information storage medium stores user-environment information about environment suitable for a user.

Hopkins teach a method for personalizing a smart card, a type of removable medium, for maintaining security information (fig. 1; col. 15, lines 15 - 60). Security information is used for setting an environment suitable for a user. It is obvious to one with ordinary skill in the art at the time of the invention to provide an information storage medium which is portable wherein the information storage medium stores user environment information about the environment is suitable for a user. Doing so enables each user to access needed applications in a timely manner while preventing unauthorized or unnecessary access to unneeded applications.

Claims 4 and 9 are rejected. Bertram teaches the use of a non-native OS based environment which translates into a type of OS, a language in which information is to be displayed, for controlling usable applications software while interfacing with the layout of the keyboard (fig. 2). Bertram makes reference to a Windows NT system which uses a keyboard as one of its input devices (col. 4, lines 34 - 57).

Claims 5 and 10 are rejected. Bertram teaches the use of an ID card, a type of computer readable medium, containing a password (col. 6, lines 35-51).

Art Unit: 2773

Claim 16 is rejected. Bertram teaches a machine referring to a computer, user information referring to userid information identifying the user, and user setting information referring to user-environment information (col. 10, lines 38 - 65).

4. Claims 2-3 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram (pat. # 5,948,064) view of Hopkins (pat. # 5,757,918) as applied to claims 1 and 6 above, and further in view of Dedrick (pat. # 5,710,884).

Claims 2-3 and 7-8 are rejected. Betram fails to teach use of an ID card with computer readable information which can be translated as a portable information storage medium. Dedrick teaches the use of an ID card with computer readable information which can be translated as a portable information storage medium (col. 6, lines 23 - 67). The information unit is separate from the user recognizing unit. The recognizing unit is the processor and associated systems for determining legitimacy of input while the medium can be any removable id or disk. The said ID card is separate from the user recognizing unit. It would have been obvious to one with ordinary skill in the art at the time of the invention to provide an ID card with computer readable information which can be translated as a portable information storage medium because doing so allows for authorize customized access to computer systems while reducing database requirements for the said computer systems.

#### ***Response to Arguments***

5. Applicant's response filed 9-15-2000 have been fully considered. The Applicant amends claims 1, 2, 6, 7, and 11. The Applicant fails to provide a response which is understandable to

Art Unit: 2773

one with ordinary skill in the art. The Examiner maintains his current rejection of claims 1, 2, 6, 7, and 11 using new grounds of rejection. Due to at least the above reasons, the rejection of claims 1-11 and 16.

The Applicant responds to the drawing objection by the Examiner by providing the required corrections to the said drawings. The Examiner therefore withdraws the said drawing objection.

The Applicant also responds to the objection to the specification. The Applicant successfully overcomes the requirements associated with the said objection to the specification therefore the Examiner withdraws the said objection to the specification.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Art Unit: 2773

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Joseph whose telephone number is (703) 305-2277. The examiner can normally be reached on Monday through Friday from 7:30 pm to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim, can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

tjj/10-16-00



RAYMOND J. PAVERL  
PRIMARY EXAMINER  
ART UNIT 2173